

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

RICHARD G. CONVERTINO,

Plaintiff,

v.

Case Number: 07-CV-13842

UNITED STATES DEPARTMENT OF JUSTICE,

Defendant.

ORDER INVITING DEFENDANT DEPARTMENT OF JUSTICE'S ATTENDANCE

Plaintiff Richard G, Convertino has filed a "Motion for an Order to Show Cause Why [Non-Party Respondent] David Ashenfelter Should Not Be Held in Contempt," scheduled for hearing on February 11, 2009. In his response, Non-Party Respondent David Ashenfelter argues that his deposition answers are protected by the Fifth Amendment to the United States Constitution's prohibition against compelled self-incriminating testimony. Plaintiff has replied that a prosecution for many of the crimes which Ashenfelter raises is now proscribed by an applicable statute of limitations. The court seeks to provide Defendant United States Department of Justice an opportunity to address the statute of limitations for any criminal prosecution alleged by Ashenfelter.

Accordingly, IT IS ORDERED that Defendant Department of Justice is INVITED, but not required, to attend the hearing, schedule for **February 11, 2009 at 2:00 p.m.** and address the above.

s/Robert H. Cleland

ROBERT H. CLELAND

UNITED STATES DISTRICT JUDGE

Dated: February 9, 2009

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, February 9, 2009, by electronic and/or ordinary mail.

s/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522